

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S008742

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

JOHN BURGESS; BETTY BURGESS

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

JOHN BURGESS

PO BOX 54

PIONEER, CA 95666

Agent:

Address:

Phone No. 209-295-4873

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

Source Name: PIONEER CREEK

Tributary To:

County: Amador

Diversion within: SW 1/4 of NW 1/4 Section 21, T 7 N, R 13 E, MDB&M

Year of First Use: 1960

Name of Diversion works:

Assessor Parcel Number of the Diversion site:

STATE WATER RESOURCES
CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2008 JUN 11 PM 1:09

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ___ Court Decree No.: ___ Other (explain): use Right

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1959

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:

Gallons per minute (gpm) ___ Gallons per day (gpd) Per Month Cubic feet per second (cfs) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005					5000	6000	8000	8000	7000				
2006					5000	6000	8000	8000	7000				
2007					5000	6000	8000	8000	7000				

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:

Gallons Per Month Million Gallons (MG) ___ Acre-feet (AF) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005													
2006													
2007													

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 1.5 acres; Stockwatering FRUIT TREES; Domestic ___;
Other (specify) _____

Parcel Number(s) of Place of Use: _____

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.

(New pump, enlarged diversion dam, location of diversion, etc.)

same

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year ___ (AF/MG) Year ___ (AF/MG) Year ___ (AF/MG)



S008742%S%2004

2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by JULY 1, 2005.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: JOHN BURGESS; BETTY BURGESS;

2005 MAY 10 AM 10:33

S008742%S%2004

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

JOHN BURGESS

PO BOX 54

PIONEER, CA 95666

STATEMENT NO.: S008742
CONTACT PHONE NO.: (209)295-4873

Source Name: PIONEER CREEK

Tributary To: SUTTER CREEK

County: Amador

Diversion Within: SW1/4 of NW1/4 Section 21, T07N, R13E, MB&M

Year of First Use: 1960

Parcel Number:

A. Water is Used Under: Riparian claim _____ Pre-1914 right _____ Other (explain): _____B. Year of First Use: (Please provide if missing above) _____C. Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			Other			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2002					6,000	8,000	8,000	9,000	9,000				
2003					6,000	8,000	8,000	9,000	9,000				
2004					6,000	8,000	8,000	9,000	9,000				

D. Purpose of Use – Specify number of acres irrigated, stock watered, persons served, etc.Irrigation: 1.5 acres; Stockwatering yes; Domestic _____;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) Same

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES _____ NO ☒

Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

S/W
5/11/05

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 5, 2005 at Pismo, California

SIGNATURE: Johnny D. Burgess

PRINTED NAME: Johnny D. Burgess
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERter OF RECORD:

STATEMENT NO: 008742

JOHN BURGESS & BETTY BURGESS
P O BOX 54
PIONEER, CA 95666TELEPHONE NUMBER:
(209) 295-4873

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: PIONEER CREEK

TRIBUTARY TO: SUTTER CREEK

COUNTY: AMADOR

YEAR OF FIRST USE: 1960

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 21, T07N, R13E, MDB&P

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994

- A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) 1960
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991				✓	✓	✓	✓	✓	✓				UNKNOWN
1992				✓	✓	✓	✓	✓	✓				
1993				✓	✓	✓	✓	✓	✓				

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 2 acres; Stockwatering Some; Domestic _____
Other (specify) Fruit Trees

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No Change

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5-20, 19 94, at Pioneer, CaliforniaSignature: John D Burgess

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969";

"Appropriation of Water in California"

S8742

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water JOHN BURGESS & BETTY BURGESS
Address P.O. BOX 54, PIONEER, CA 95666

B. Name of body of water at point of diversion PIONEER CREEK
Tributary to SUTTER CREEK THENCE DRY CREEK THENCE MOKELUMBE RIVER

C. Place of diversion SW 1/4 NW 1/4 Section 21, Township 7N, Range 13E, MD B&M,
AMADOR County, or locate it on sketch of section grid on reverse side with regard to section
lines or prominent local landmarks.

D. Name of works NO NAME (DUMP IN CREEK)

E. Capacity of diversion works 30 (0.066 CFS) ~~cubic feet per second~~
gallons per minute
gallons
acre-feet
Capacity of storage reservoir N/A

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
													180,000 gal.

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

1 ACRE OF TRUCK VEGETABLES OR PASTURE IRRIGATED

Maximum annual water use in recent years 200,000 gallons
Minimum annual water use in recent years 150,000 gallons
acre-feet

Type of diversion facility: gravity ☒, pump

Method of measurement: weir ☐, flume ☐, electric power meter ☐, water meter ☐, estimate ☒

F. Purpose of use (what water is being used for) IRRIGATION

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
1 ACRE IRRIGATED - SEE REVERSE SIDE

H. Year of first use as nearly as known 1960

I. Name of person filing statement JOHN BURGESS

Position PROPERTY OWNER Organization _____

Address SAME AS ABOVE

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

Dated: APRIL 5, 19 76, at SACRAMENTO, California

SWRCB 40 (7/75)

See Instructions on Reverse Side

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